

## Michigan Freedom of Information Act Detailed Cost Estimate B

Date: March 8, 2019

Prepared for Request No.19-007

Date Request Received: 2-15-19

<p>The following costs are being charged in compliance with Section 4 of the Michigan Freedom of Information Act, MCL 15.234, according to DHC's FOIA Procedures and Guidelines.</p>			
<p><b>1. Labor Cost for Copying / Duplication:</b></p> <p>This is the cost of labor directly associated with duplication or publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on non-paper physical media or through the Internet or other electronic means as stipulated by the requestor.</p> <p>This shall not be more than the hourly wage of DHC's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor.</p> <p>These costs will be estimated and charged in 15-minute time increments. All partial time increments must be rounded down. <i>If the number of minutes is less than one increment, there is no charge.</i></p> <p>Hourly Wage Charged: \$____ Charge per increment: \$_____  OR  Hourly Wage with Fringe Benefit Cost: \$____ OR  Multiply the hourly wage by the percentage multiplier: 33% (up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate. Charge per increment: \$____</p> <p><input type="checkbox"/> Overtime rate charged as stipulated by Requestor (overtime is not used to calculate the fringe benefit cost)</p>		<p>To figure the number of increments, take the <i>number of minutes</i>: 180 divide by 15-minute increments, and round down. Enter below:</p> <p>Number of increments</p> <p>x _____ =</p>	<p>1. Labor Cost</p> <p>\$ ____0 ---</p>
<p><b>2. Labor Cost to Locate (HCV Director Search):</b></p> <p>This is the cost of labor directly associated with the necessary searching for, locating, and examining public records in conjunction with receiving and fulfilling a granted written request. <b>This fee is being charged because failure to do so will result in unreasonably high costs to DHC that are excessive and beyond the normal or usual amount for those services compared to DHC's usual FOIA requests, because of the nature of the request in this particular instance, specifically: The request incurs costs greater than incurred by DHC for a typical FOIA request as it requires numerous hours of search and examination</b></p> <p>DHC will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor.</p> <p>These costs will be estimated and charged in 15-minute time increments. All partial time increments must be rounded down. <i>If the number of minutes is less than 15, there is no charge.</i></p> <p>Hourly Wage Charged: \$49.52 Charge per increment: \$_____  OR  Hourly Wage with Fringe Benefit Cost: \$65.86 OR  Multiply the hourly wage by the percentage multiplier: 33% (up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate. Charge per increment: \$16.47</p> <p><input type="checkbox"/> Overtime rate charged as stipulated by Requestor (overtime is not used to calculate the fringe benefit cost)</p>		<p>To figure the number of increments, take the <i>number of minutes</i>: 360 divide by 15-minute increments, and round down. Enter below:</p> <p>Number of increments</p> <p>x 8 =</p>	<p>2. Labor Cost</p> <p>131.72</p>

**3a. Employee Labor Cost for Separating Exempt from Non-Exempt (Redacting)**

(Fill this out if using a DHC employee. If using a contractor, use No. 3b instead).

DHC will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to DHC that are excessive and beyond the normal or usual amount for those services compared to DHC's usual FOIA requests, because of the nature of the request in this particular instance, specifically.

This is the cost of labor of a DHC **employee**, including necessary review, directly associated with separating and deleting exempt from nonexempt information. This shall not be more than the hourly wage of DHC's **lowest-paid employee** capable of separating and deleting exempt from nonexempt information in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in 15-minute time increments. All partial time increments must be rounded down. If the number of minutes is less than 15, there is no charge.

Hourly Wage Charged: \$ \_\_\_\_\_

Charge per increment: \$ \_\_\_\_\_

OR

Hourly Wage with Fringe Benefit Cost: \$----

OR

Multiply the hourly wage by the percentage multiplier 33% (up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Charge per increment: \$ \_\_\_\_\_

☐ Overtime rate charged as stipulated by Requestor (overtime is not used to calculate the fringe benefit cost)

To figure the number of increments, take the number of minutes: \_\_\_\_\_, divide by 15-minute increments, and round down. Enter below:

Number of increments

x \_\_\_\_\_ =

3a. Labor Cost

\$ \_\_\_\_0\_\_\_\_

**3b. Contracted Labor Cost for Separating Exempt from Non-Exempt (Redacting):**

(Fill this out if using a contractor, such as an attorney. If using in-house employee, use No. 3a instead.)

DHC will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to DHC that are excessive and beyond the normal or usual amount for those services compared to DHC's usual FOIA requests, because of the nature of the request in this particular instance, specifically: \_\_\_\_\_

If DHC does not employ a person capable of separating exempt from non-exempt information in this particular instance, as determined by the FOIA Coordinator, this is the cost of labor of a **contractor** (i.e.: outside attorney), including necessary review, directly associated with separating and deleting exempt information from nonexempt information. This shall not exceed an amount equal to 6 times the state minimum hourly wage rate of \$8.15.

Name of contracted person or firm: \_\_\_\_\_

These costs will be estimated and charged in 15-minute time increments. All partial time increments must be rounded down. If the number of minutes is less than 15, there is no charge.

Hourly Cost Charged: \$ \_\_\_\_\_

Charge per increment: \$ \_\_\_\_\_

To figure the number of increments, take the number of minutes: \_\_\_\_\_, divide by 15-minute increments, and round down. Enter below:

Number of increments

x \_\_\_\_\_ =

3b. Labor Cost

\$ \_\_\_\_0\_\_\_\_

#### 4. Copying / Duplication Cost:

Copying costs may be charged if a copy of a public record is requested, or for the necessary copying of a record for inspection (*for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection*).

No more than the actual cost of a sheet of paper, up to maximum 10¢ per sheet for:

- Letter (8 ½ x 11-inch, single and double-sided): 10 cents per sheet
- Legal (8 ½ x 14-inch, single and double-sided): 10 cents per sheet

No more than the actual cost of a sheet of paper for other paper sizes:

- Other paper sizes (single and double-sided): \_\_\_\_\_ cents / dollars per sheet

Actual and most reasonably economical cost of non-paper physical digital media:

- *Circle applicable:* Disc / Tape / USB Drive / Other Digital Medium Cost per Item: \_\_\_\_\_

The cost of paper copies **must** be calculated as a total cost per sheet of paper. The fee **cannot exceed 10¢** per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. **DHC must utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.**

**DOCUMENTS WILL BE SCANNED AND TRANSMITTED ELECTRONICALLY.**

Number of  
Sheets:

x = 0  
x 0 =

Costs:

\$ 0  
\$ 0

x = \$ 0

No. of Items:

x = \$ 0

4. Total  
Copy Cost

\$0

#### 5. Mailing Cost:

DHC will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner. Delivery confirmation is not required.

- DHC **may** charge for the least expensive form of postal delivery confirmation.
- DHC **cannot** charge more for expedited shipping or insurance unless specifically requested by the requestor.\*

Actual Cost of Envelope or Packaging: \$ \_\_\_\_\_

Actual Cost of Postage: \$ \_\_\_\_\_ per stamp  
\$ \_\_\_\_\_ per pound  
\$ \_\_\_\_\_ per package

Actual Cost (least expensive) Postal Delivery Confirmation: \$ \_\_\_\_\_

\*Expedited Shipping or Insurance as Requested: \$ \_\_\_\_\_

☐ \* Requestor has authorized expedited shipping or insurance.

**DOCUMENTS WILL BE SCANNED AND TRANSMITTED ELECTRONICALLY.**

Number of  
Envelopes or  
Packages:

x = \$ \_\_\_\_\_

x = \$ \_\_\_\_\_

x = \$ \_\_\_\_\_

x = \$ \_\_\_\_\_

x = \$ \_\_\_\_\_

x = \$ \_\_\_\_\_

Costs:

5. Total  
Mailing Cost

\$ 0

If DHC has included the website address for a record in its written response to the requestor, and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or non-paper physical digital media, DHC will provide the public records in the specified format and may charge copying costs to provide those copies.

- Letter (8 ½ x 11-inch, single and double-sided): \_\_\_\_\_ cents per sheet
- Legal (8 ½ x 14-inch, single and double-sided): \_\_\_\_\_ cents per sheet

- Other paper sizes (single and double-sided): \_\_\_\_\_ cents / dollars per sheet

- *Circle applicable:* Disc / Tape / USB Drive / Other Digital Medium    Cost per Item: \_\_\_\_\_

\$ 0

## 6b. Web Labor Cost

\$ 0\_\_\_\_\_

<b>Subtotal of Fees Before Waivers, Discounts or Deposits:</b>		<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <input checked="" type="checkbox"/> Cost estimate  <input type="checkbox"/> Bill         </div>	1. Labor Cost for Copying: \$ <u>0</u> 2. Labor Cost to Locate: \$131.72 3a. Labor Cost to Redact: \$ <u>0</u> 3b. Contract Labor Cost to Redact: \$ <u>0</u> 4. Copying/Duplication Cost: \$ <u>0</u> 5. Mailing Cost: \$ <u>0</u> 6a. Copying/Duplication of Records on Website: \$ <u>0</u> 6b. Labor Cost for Copying Records on Website: \$ <u>0</u> 6c. Mailing Costs for Records on Website: \$ <u>0</u>  <b>Subtotal Fees:</b> \$131.72
<b>Estimated Time Frame to Provide Records:</b>  <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">           _____ (days or date)             The time frame estimate is nonbinding upon DHC, but DHC is providing the estimate in good faith. Providing an estimated time frame does not relieve DHC from any other FOIA requirements.         </div>			
<b>Waiver: Public Interest</b> A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if DHC determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.		<div style="text-align: center;"> <input type="checkbox"/> All fees are waived    <u>OR</u>    <input type="checkbox"/> All fees are reduced by: _____ %         </div> <b>Subtotal Fees After Waiver:</b> \$ <u>0</u>	
<b>Discount: Indigence</b> A public record search <b>must</b> be made and a copy of a public record <b>must</b> be furnished <b>without charge for the first \$20.00 of the fee</b> for each request by an individual who is entitled to information under this act and who submits an affidavit stating:		<div style="text-align: center;"> <input type="checkbox"/> Ineligible for Indigence Discount         </div> <b>Subtotal Fees After Discount (subtract \$20):</b> \$ <u>0</u>	
1) That the individual is indigent and receiving specific public assistance, <b>OR</b>  2) Facts showing inability to pay the cost because of indigence.			
If a requestor is ineligible for the discount, DHC shall inform the requestor specifically of the reason for ineligibility in DHC's written response. An individual is ineligible for this fee reduction if <b>ANY</b> of the following apply:			
(i) The individual has previously received discounted copies of public records from DHC twice during that calendar year, <b>OR</b>  (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. DHC requires a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.			
Reason ineligible _____:			
<b>Discount: Nonprofit Organization</b> A public record search <b>must</b> be made and a copy of a public record <b>must</b> be furnished <b>without charge for the first \$20.00 of the fee</b> for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the request meets <b>ALL</b> of the following requirements:		<div style="text-align: center;"> <input type="checkbox"/> Eligible for Nonprofit Discount         </div> <b>Subtotal Fees After Discount (subtract \$20):</b> \$ <u>0</u>	
(i) Is made directly on behalf of the organization or its clients.  (ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931.  (iii) Is accompanied by documentation of its designation by the state.			

<p><b><u>Deposit: Good Faith</u></b>  DHC may require a good-faith deposit in either its initial response or a subsequent response before providing the public records to the requestor if the entire fee estimate or charge authorized exceeds \$50.00, based on a good-faith calculation of the total fee. The deposit cannot exceed 1/2 of the total estimated fee.  Percent of Deposit:50%</p>	<p>Date Paid:  _____</p>	<p><b>Deposit Amount Required:</b>    <b>\$65.86</b></p>
<p><b><u>Deposit: Increased Deposit Due to Previous FOIA Fees Not Paid In Full</u></b>  After DHC has granted and fulfilled a written request from an individual under this act, if DHC has not been paid in full the total amount of fees for the copies of public records that DHC made available to the individual as a result of that written request, <b>DHC may require an increased estimated fee deposit of up to 100% of the estimated fee before it begins a full public record search</b> for any subsequent written request from that individual if ALL of the following apply:</p> <p>(a) The final fee for the prior written request was not more than 105% of the estimated fee.  (b) The public records made available contained the information being sought in the prior written request and are still in DHC's possession.  (c) The public records were made available to the individual, subject to payment, within the best effort estimated time frame given for the previous request.  (d) Ninety (90) days have passed since DHC notified the individual in writing that the public records were available for pickup or mailing.  (e) The individual is unable to show proof of prior payment to DHC.  (f) DHC calculates a detailed itemization, as required under MCL 15.234, that is the basis for the current written request's increased estimated fee deposit.</p> <p>DHC can no longer require an increased estimated fee deposit from an individual if ANY of the following apply:</p> <p>(a) The individual is able to show proof of prior payment in full to DHC, OR  (b) DHC is subsequently paid in full for the applicable prior written request, OR  (c) Three hundred sixty-five (365) days have passed since the individual made the written request for which full payment was not remitted to DHC.</p>	<p>Date Paid:  _____</p>	<p>Percent Deposit Required:    ____0____%</p> <p>Deposit Required:    \$ __0__</p>
<p><b><u>Late Response Labor Costs Reduction</u></b>  If DHC does not respond to a written request in a timely manner as required under MCL 15.235(2), DHC must do the following:</p> <p>(a) Reduce the charges for labor costs otherwise permitted by 5% for each day DHC exceeds the time permitted for a response to the request, with a maximum 50% reduction, if EITHER of the following applies:</p> <p>(i) The late response was willful and intentional, OR</p> <p>(ii) The written request included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or specifically included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy", or a recognizable misspelling of such, or appropriate legal code reference for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.</p>	<p>Number of Days Over Required Response Time:    _____  Multiply by 5%    = Total Percent Reduction:  _____  _____</p>	<p>Total Labor Costs    \$_____    Minus Reduction    \$_____    = Reduced Total Labor Costs    \$ __0__</p>
<p>The Public Written Summary of DHC's FOIA Procedures and Guidelines is available free of charge from:</p> <p>Website:dhcmi.org  Email: FOIACoordinator@dhcmi.org  Address: 1301 E. Jefferson, Detroit Michigan 48207  FAX: 313-877-8764</p>		